

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:  APRIL JOHNSON,  Debtor,  REGIONAL ACCEPTANCE CORPORATION,  Movant  v.  APRIL JOHNSON and FREDERICK L. REIGLE, Ch. 13 Trustee ,  Respondents	Bankruptcy No. 15-15272-sr  Chapter 13  Related to Doc. No. 48
---	--

ORDER OF COURT

AND NOW, this 1st day of September, 2016, upon consideration of the foregoing Stipulation Resolving Motion for Relief from the Automatic Stay, it is hereby ORDERED that the Stipulation is approved.

BY THE COURT



---

Hon. Stephen Raslavich  
U.S. Bankruptcy Court Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:  APRIL JOHNSON,  Debtor,  REGIONAL ACCEPTANCE CORPORATION,  Movant  v.  APRIL JOHNSON and FREDERICK L. REIGLE, Ch. 13 Trustee ,  Respondents	Bankruptcy No. 15-15272-sr  Chapter 13  Related to Doc. No. 48
---	--

STIPULATION RESOLVING MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Movant, Regional Acceptance Corporation, by and through its undersigned counsel, Bernstein-Burkley, P.C., and, Debtor, April Johnson, by and through her undersigned counsel, Diane E. Barr, Esquire, and together file this Stipulation Resolving Motion for Relief from the Automatic Stay (the “Stipulation”), stating as follows:

1. The automatic stay of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. Movant has a secured interest in Debtor’s 2013 Toyota Camry Sedan 4D LE 2.5L I4, VIN 4T4BF1FK6DR319974.
3. As of the August 19, 2016 Contract payment, the total arrears to Movant will be \$3,770.54, including \$450 in legal fees and \$176.00 in costs.
4. Debtor shall cure the post-petition arrears by making a \$1,000 payment on or before August 12, 2016 followed by six monthly payments of \$940.36 starting with the

September 19, 2016 payment. After the post-petition arrears are cured, Debtor shall timely make all future regular \$478.60 monthly payments to Movant pursuant to the terms of the Contract.

The payments and due dates will be as follows:

August 12, 2016	\$1,000
September 19, 2016	\$940.36
October 19, 2016	\$940.36
November 19, 2016	\$940.36
December 19, 2016	\$940.36
January 19, 2017	\$940.36
February 19, 2017	\$940.36

March 19, 2017           \$478.60 (regular payments continue until Contract is paid in full)

5. Debtors shall direct the payments to:

J. Lindsay Holt  
Regional Acceptance Corporation  
P. O. Box 1847  
2713 Forest Hills Road  
Wilson NC 27894-1847

6. Payments must be received by Movant at the above-referenced address on or before the 19th day of each month. If Movant does not timely receive the full monthly payment Movant may send Debtor and counsel a written notice of default of this Stipulation. Movant may send the written notice by fax or e-mail, instead of or in addition to regular mail. If the default is not cured within ten (10) days of the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the Vehicle without further hearing. If Debtor sends a payment that is returned for insufficient funds, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the Vehicle without further hearing.

7. If Debtor has defaulted on the Stipulation in two separate months then, if Debtor defaults a third time, Movant may file a Certification of Default without having to first send Debtor notice of the Default.

8. In the event the instant bankruptcy case is converted to a case under Chapter 7 of the Bankruptcy Code, Debtor shall cure the pre-petition and post-petition arrears within ten (10) days from the date of such conversion. Should Debtor fail to cure said arrears within the ten day period, such failure shall be deemed a default under the terms of this Stipulation and Movant may send Debtor and counsel a written notice of default. If the default is not cured within ten (10) days from the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the automatic stay as to the Vehicle.

9. This Stipulation may only be modified by a revised Stipulation filed on the docket in the Bankruptcy. No oral modifications are permitted and any allegation that the Stipulation was modified orally will be disregarded as evidence. No written modifications are permitted, except for a revised Stipulation filed on the docket in the Bankruptcy.

Agreed to by:

By: <u>/s/ Peter J. Ashcroft</u> Peter J Ashcroft, Esq. PA I.D. # 87317 pashcroft@bernsteinlaw.com Bernstein-Burkley, P.C. 707 Grant Street, Suite 2200, Gulf Tower Pittsburgh, PA 15219 (412) 456-8107 Fax: (412) 456-8135  Counsel for Movant, Regional Acceptance Corporation	By: <u>/s/ Diane E. Barr</u> Law Office of Diane E. Barr 4206 Chestnut Street Philadelphia,, PA 19104 215-222-0791 Fax : 610-441-7518 Email: <a href="mailto:barrdupree09@yahoo.com">barrdupree09@yahoo.com</a>  Counsel for Debtor, April Johnson	By: <u>/s/ Polly A. Langdon</u> Polly A. Langdon, Esq. Frederick L. Reigle, Esq. 2901 St. Lawrence Avenue P.O. Box 4010 Reading, PA 19606 610-779-1313 Email: <a href="mailto:ecfmail@fredreiglechl3.com">ecfmail@fredreiglechl3.com</a>  Counsel for Frederick L. Reigle, Chapter 13 Trustee
--	--	--

Dated: August 31, 2016

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:  APRIL JOHNSON,  Debtor,  REGIONAL ACCEPTANCE CORPORATION,  Movant  v.  APRIL JOHNSON and FREDERICK L. REIGLE, Ch. 13 Trustee ,  Respondents	Bankruptcy No. 15-15272-sr  Chapter 13  Related to Doc. No. 48
---	--

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that I am, and at all times hereinafter mentioned, was more than 18 years of age, that on the 31st day of August, 2016, I served a copy of the Stipulation Resolving Motion for Relief from the Automatic Stay by first class U.S. Mail, postage prepaid or electronic mail at the following addresses:

April Johnson  
5856 N. 7th Street  
Philadelphia, PA 19120

and:

Diane E. Barr, Esq.  
Frederick L. Reigle, Ch. 13 Trustee  
Office of the United States Trustee

barrdupree09@yahoo.com  
ecfmail@fredreiglechl3.com  
ustpreion03.ph.ecf@usdoj.gov

By: /s/ Peter J Ashcroft  
Peter J Ashcroft, Esq.  
PA I.D. # 87317  
pashcroft@bernsteinlaw.com  
707 Grant Street, Suite 2200, Gulf Tower  
Pittsburgh, PA 15219  
(412) 456-8107  
Fax: (412) 456-8135

Counsel for Regional Acceptance  
Corporation